

# UNITED STATES DISTRICT COURT

Southern District Of California  
Office Of The Clerk  
880 Front Street, Room 4290  
San Diego, California 92101-8900  
Phone: (619) 557-5600  
Fax: (619) 702-9900

W. Samuel Hamrick, Jr.  
Clerk of Court

**FILED**

**JAN - 4 2008**

January 2, 2008

RICHARD W. WIEKING  
CLERK, U.S. DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA  
OAKLAND

Clerk, U.S. District Court  
Northern District of California  
450 Golden Gate Avenue  
Box 36060  
San Francisco, CA 94102-3489

## Transfer of Jurisdiction

Our Case #: 01cr45-IEG  
Re: Michael John Lanni

*CR-07-690-SBA*

Dear Clerk of the Court:

Enclosed please find the following documents:

Certified copy of Transfer of Jurisdiction  
Certified copy of indictment, information or complaint  
Certified copy of Judgment  
Certified copy of docket sheet  
Certified copy of any OSC's

Please acknowledge receipt of the above documents on the enclosed copy of this letter.

Sincerely yours,

W. Samuel Hamrick, Jr.  
Clerk of Court

By: 

J. Haslam, Deputy Clerk

E-filing

PROB 22 (Rev. 2/88)		DOCKET NUMBER (Tran. Court) 01-CR-0045-001-IEG	
TRANSFER OF JURISDICTION FILED 2007 DEC 28 PM 3:10 CR07-0690 SBA		DOCKET NUMBER (Rec. Court) 0690 SBA	
		DIVISION San Diego	
NAME AND ADDRESS OF SUPERVISED RELEASEE Michael John LANNI Hayward, California		BY Southern California Irma E. Gonzalez NAME OF SENTENCING JUDGE Irma E. Gonzalez	
DATES OF SUPERVISED RELEASE		FROM 7/10/06	RICHARD W. WIEKING CLERK U.S. DISTRICT COURT NORTHERN DISTRICT OF CALIFORNIA OCT 31 2007
OFFENSE 21 U.S.C. §§ 952 and 960, Importation of Marijuana			
PART 1 - ORDER TRANSFERRING JURISDICTION			
UNITED STATES DISTRICT COURT FOR THE SOUTHERN DISTRICT OF CALIFORNIA			
IT IS HEREBY ORDERED that pursuant to 18 U.S.C. § 3605 the jurisdiction of the Supervised Releasee named above be transferred with the records of the Court to the United States District Court for the NORTHERN DISTRICT OF CALIFORNIA upon that Court's order of acceptance of jurisdiction. This Court hereby expressly consents that the period of Supervised Release may be changed by the District Court to which this transfer is made without further inquiry of this court.*			
Date 10/15/07		Irma E. Gonzalez Chief U.S. District Judge	
*This sentence may be deleted at the discretion of the transferring Court.			
PART 2 - ORDER ACCEPTING JURISDICTION			
UNITED STATES DISTRICT COURT FOR THE NORTHERN DISTRICT OF CALIFORNIA			
IT IS HEREBY ORDERED that jurisdiction over the above-named Supervised Releasee be accepted and assumed by this Court from and after the entry of this order.			
Effective Date 10/25/07		United States District Judge	

pn/pn

FILED

01 JAN -3 PM 1:34

CLERK, U.S. DISTRICT COURT  
SOUTHERN DISTRICT OF CALIFORNIA

BY: DEPUTY

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF CALIFORNIA

August 1999 Grand Jury

01 CR 0045 ILG

UNITED STATES OF AMERICA,	)	Criminal Case No. _____
	)	
Plaintiff,	)	<u>I N D I C T M E N T</u>
	)	
v.	)	Title 21, U.S.C., Secs. 952 and
	)	960 - Importation of Marijuana;
MICHAEL JOHN LANNI,	)	Title 21, U.S.C., Sec. 841(a)(1) -
	)	Possession of Marijuana with
Defendant.	)	Intent to Distribute

The grand jury charges:

Count 1

On or about December 22, 2000, within the Southern District of California, defendant MICHAEL JOHN LANNI did knowingly and intentionally import approximately 42.95 kilograms (approximately 94.7 pounds) of marijuana, a Schedule I Controlled Substance, into the United States from a place outside thereof; in violation of Title 21, United States Code, Sections 952 and 960.

//

//

//

DTR:cks:San Diego  
12/28/00

I hereby attest and certify on  
that the foregoing document is a true and  
correct copy of the original on file in my office.  
12/08  
J. H. ~

4

Count 2

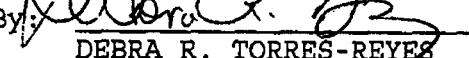
On or about December 22, 2000, within the Southern District of California, defendant MICHAEL JOHN LANNI did knowingly and intentionally possess, with intent to distribute, approximately 42.95 kilograms (approximately 94.7 pounds) of marijuana, a Schedule I Controlled Substance; in violation of Title 21, United States Code, Section 841(a)(1).

DATED: January 3, 2001.

A TRUE BILL:

  
Foreperson

GREGORY A. VEGA  
United States Attorney

By:   
DEBRA R. TORRES-REYES  
Assistant U.S. Attorney

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF CALIFORNIA

UNITED STATES OF AMERICA -5 PM 3:41  
VS

JUDGMENT INCLUDING SENTENCE  
UNDER THE SENTENCING REFORM ACT

MICHAEL JOHN LANNI

CRIMINAL CASE NUMBER 01CR0045-IEG

BY: *[Signature]*

SIRI SHETTY FEDERAL DEFENDERS

Defendant's Attorney

THE DEFENDANT

☒ Plead guilty to count(s) 1 of the indictment  
☐ was found guilty on count(s) \_\_\_\_\_ after a  
plea of not guilty.

Accordingly, the defendant is adjudged guilty of such count(s), which  
involve the following offenses:

<u>Title &amp; Section</u>	<u>Nature of Offense</u>	<u>Count(s)</u>
21 USC 952,960	Importation of marijuana.	1

The defendant is sentenced as provided in pages 2 through 4 of this  
Judgment. The sentence is imposed pursuant to the Sentence Reform Act of  
1984.

The defendant has been found not guilty on count(s) \_\_\_\_\_ and  
is discharged as to such count(s).

Remaining count \_\_\_\_\_ is dismissed on the motion of the United  
States.

Pursuant to 18 USC 3013 an assessment is hereby levied in the amount of  
\$ 100.

☒ Fine ordered waived.

It is further ordered that the defendant shall notify the United States  
Attorney for this district within 30 days of any change of residence or  
mailing address until all fines, restitution, costs, and special assessments  
imposed by this Judgment are fully paid.

June 4, 2001  
DATE OF IMPOSITION OF SENTENCE

*[Signature]*  
IRMA E. GONZALEZ  
UNITED STATES DISTRICT JUDGE  
ENTERED ON 6/6/01

1/2/08  
I hereby attest and certify on \_\_\_\_\_  
That the foregoing document is a true and  
copy of the original on file in my office.  
CLERK, U.S. DISTRICT COURT  
SOUTHERN DISTRICT OF CALIFORNIA

By: *[Signature]*

14

01CR0045

=====

DEFENDANT: MICHAEL JOHN LANNI  
CASE NUMBER: 01CR0045-IEG

JUDGMENT PAGE 2 of 4

**IMPRISONMENT**

The defendant is hereby committed to the custody of the United States Bureau of Prisons to be imprisoned for a term of 30 months

\_\_\_\_\_

☒ The Court makes the following recommendations to the Bureau of Prisons:  
That the defendant be designated to an institution in the south east region of the United States.

☐ The defendant is remanded to the custody of the United States Marshal.  
☐ The defendant shall surrender to the United States Marshal for this district at \_\_\_\_\_ a.m./p.m. on \_\_\_\_\_  
\_\_\_\_\_ as notified by the Marshal.

☐ The defendant shall surrender for service of sentence at the institution designated by the Bureau of Prisons  
\_\_\_\_\_ on or before  
\_\_\_\_\_ as notified by the United States Marshal.  
\_\_\_\_\_ as notified by the Probation Office.

**RETURN**

I have executed this Judgment as follows:

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
Defendant delivered on \_\_\_\_\_ to \_\_\_\_\_  
\_\_\_\_\_, with a certified copy of this judgment.

\_\_\_\_\_  
UNITED STATES MARSHAL

BY \_\_\_\_\_  
DEPUTY MARSHAL

DEFENDANT: MICHAEL JOHN LANNI  
CASE NUMBER: 01CR0045-IEG

JUDGMENT PAGE 3 OF 4

### SUPERVISED RELEASE

Upon release from imprisonment, the defendant shall be on supervised release for a term of 3 years.

The defendant shall report to the probation office in the district to which the defendant is released within 72 hours of release from the custody of the Bureau of Prisons.

The defendant shall not commit another federal, state, or local crime.

The defendant shall not illegally possess a controlled substance.

For offenses committed on or after September 13, 1994:

The defendant shall refrain from any unlawful use of a controlled substance. The defendant shall submit to one drug test within 15 days of release from imprisonment and at least two periodic drug tests thereafter, as directed by the probation officer.

The above drug testing condition is suspended based on the court's determination that the defendant poses a low risk of future substance abuse. (Check if applicable.)

☒ The defendant shall not possess a firearm as defined in 18 U.S.C. § 921. (Check, if applicable.)

If this judgment imposes a fine or a restitution obligation, it shall be a condition of supervised release that the defendant pay any such fine or restitution that remains unpaid at the commencement of the term of supervised release in accordance with the Schedule of Payments set forth in this judgment.

The defendant shall comply with the standard conditions that have adopted by this court (set forth below). The defendant shall comply with the additional conditions on the attached page (if indicated below).

### STANDARD CONDITIONS OF SUPERVISION

- 1) the defendant shall not leave the judicial district without the permission of the court or probation officer;
- 2) the defendant shall report to the probation officer and shall submit a truthful and complete written report within the first five days of each month;
- 3) the defendant shall answer truthfully all inquiries by the probation officer and follow the instructions of the probation officer;
- 4) the defendant shall support his or her dependents and meet other family responsibilities;
- 5) the defendant shall work regularly at a lawful occupation unless excused by the probation officer for schooling, training, or other acceptable reasons;
- 6) the defendant shall notify the probation officer ten days prior to any change in residence or employment;
- 7) the defendant shall refrain from excessive use of alcohol;
- 8) the defendant shall not frequent places where controlled substances are illegally sold, used, distribute or administered;
- 9) the defendant shall not associate with any persons engaged in criminal activity, and shall not associate with any person convicted of a felony unless granted permission to do so by the probation officer;
- 10) the defendant shall permit a probation officer to visit him or her at any time at home or elsewhere and shall permit confiscation of any contraband observed in plain view of the probation officer;
- 11) the defendant shall notify the probation officer within seventy-two hours of being arrested or questioned by a law enforcement officer;
- 12) the defendant shall not enter into any agreement to act as an informer or a special agent of a law enforcement agency without the permission of the court;
- 13) as directed by the probation officer, the defendant shall notify third parties of risks that may be occasioned by the defendant's criminal record or personal history or characteristics, and shall permit the probation officer to make such notifications and to confirm the defendant's compliance with such notification requirement.

DEFENDANT: MICHAEL JOHN LANNI

JUDGMENT PAGE 4 OF 4

CASE NUMBER: 01CR0045-IEG

**SPECIAL CONDITIONS OF SUPERVISION**

- ☒ Not possess firearms, explosive devices, or other dangerous weapons.
- ☒ Submit to a search of person, property, residence, abode or vehicle at a reasonable time and in a reasonable manner by the Probation Officer.
- ☒ Report all vehicles owned or operated, or in which you have an interest, to the Probation Officer.
- ☒ Not enter the Republic of Mexico without permission of the Probation Officer.
- ☒ Resolve all outstanding warrants within 90 days of release from confinement.
- ☒ Provide complete disclosure of personal and business financial records to the Probation Officer.



PROB 12B  
(04/05)

September 4, 2007

UNITED STATES DISTRICT COURT  
**FILED**  
FOR THE  
SOUTHERN DISTRICT OF CALIFORNIA  
2007 SEP 10 PM 4:11

Request for Modifying the Conditions or Term of Supervision  
(Probation Form 49, Waiver of Hearing is Attached)

BY CP DEPUTY

**Name of Offender:** Michael John LANNI (English)**Dkt No.:** 01-CR-0045-001-IEG**Reg. No.:** 59718-198**Name of Sentencing Judicial Officer:** The Honorable Irma E. Gonzalez, Chief U.S. District Judge**Date of Sentence:** June 4, 2001**Original Offense:** 21 U.S.C. §§ 952 and 960, Importation of Marijuana, a Class D felony.

**Sentence:** 30 months custody; three years supervised release (*Special Conditions: no firearms; submit to search; report all vehicles; not enter Mexico without permission; resolve all outstanding warrants; and provide financial information as directed.*). \$100 special assessment.

**Type of Supervision:** Supervised Release**Date Supervision Commenced:** July 10, 2006**Asst. U.S. Atty.:** Joseph Smith**Defense Counsel:** Siri Shetty, Fed. Def. Inc., (Appointed)  
(619) 234-8501**Prior Violation History:** None.

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**PETITIONING THE COURT****TO MODIFY THE CONDITIONS OF SUPERVISION AS FOLLOWS:****(Special Condition)**

Participate in a program of drug or alcohol abuse treatment, including drug testing and counseling, as directed by the probation officer. The offender may be required to contribute to the costs of services rendered in an amount to be determined by the probation officer, based on ability to pay. (nv21)

I hereby attest and certify on 1/2/08  
That the foregoing document is a full true and correct  
copy of the original on file in my office and in my  
custody.

CLERK, U.S. DISTRICT COURT  
SOUTHERN DISTRICT OF CALIFORNIA

*[Signature]*

PROB 12B

Name of Offender: Michael John LANNI

September 4, 2007

Docket No.: 01-CR-0045-001-IEG

Page 2

**CAUSE**


Since his release from custody, supervision of Mr. Lanni has been assumed by the United States Probation Office in the Northern District of California. It has been reported that due to Mr. Lanni's substance abuse history that additional drug testing would allow regular monitoring regarding illicit drug use. This issue was discussed with the offender and he has agreed to the probation department's request to recommend that the court impose the regular drug testing condition. Mr. Lanni has reviewed and signed the attached "Waiver of Hearing to Modify Conditions of Probation/Supervised Release or extend Term of Supervision" agreeing to the proposed modification.


**I declare under penalty of perjury that the foregoing is true and correct.**

**Executed on: September 4, 2007**

Respectfully submitted:

Reviewed and approved:

by   
Peter Nover  
U.S. Probation Officer  
(619) 557-5759

  
Cynthia M. Poblete  
Supervising U.S. Probation Officer

Attachments

PROB 12B

Name of Offender: Michael John LANNI

September 4, 2007

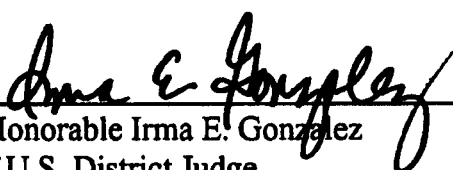
Docket No.: 01-CR-0045-001-IEG

Page 3

**THE COURT ORDERS:**

X The Modification of Conditions as Noted Above

Other \_\_\_\_\_

  
The Honorable Irma E. Gonzalez  
Chief U.S. District Judge

9/16/07  
Date

pn/pn  
pn/pn  
*zyl*

TERMED

**U.S. District Court  
Southern District of California (San Diego)  
CRIMINAL DOCKET FOR CASE #: 3:01-cr-00045-IEG All Defendants  
Internal Use Only**

Case title: USA v. Lanni  
Magistrate judge case number: 3:00-mj-03519

Date Filed: 01/03/2001  
Date Terminated: 06/04/2001

Assigned to: Judge Irma E. Gonzalez

**Defendant**

**Michael John Lanni (1)**  
*TERMINATED: 06/04/2001*

represented by **Federal Defenders**  
Federal Defenders of San Diego  
225 Broadway  
Suite 900  
San Diego, CA 92101-5008  
(619)234-8467  
Fax: (619)687-2666  
Email: [casd\\_ecf@fd.org](mailto:casd_ecf@fd.org)  
**LEAD ATTORNEY**  
**ATTORNEY TO BE NOTICED**  
*Designation: Public Defender or  
Community Defender Appointment*

**Pending Counts**

21:952, 960- Importation of Marijuana  
(1)

**Disposition**

Custody of BOP for a term of 30 months. Supervised release for a term of 3 years. Assessment of \$100. No fine.

**Highest Offense Level (Opening)**

Felony

**Terminated Counts**

21:841(a)(1)- Possession of Marijuana with intent to distribute  
(2)

**Disposition**

Remaining count dismissed - granted.

**Highest Offense Level (Terminated)**

Felony

11/2/08  
U.S. DISTRICT COURT  
SOUTHERN DISTRICT OF CALIFORNIA  
By: *[Signature]* Date: *[Signature]*

**Complaints**

None

**Disposition****Plaintiff****United States of America**represented by **U S Attorney CR**U S Attorneys Office Southern District  
of California

Criminal Division

880 Front Street

Room 6293

San Diego, CA 92101

(619)557-5610

Fax: (619)557-5917

Email: Efile.dkt.gc2@usdoj.gov

**LEAD ATTORNEY****ATTORNEY TO BE NOTICED**

<b>Date Filed</b>	<b>#</b>	<b>Docket Text</b>
12/22/2000		DEFENDANT Michael John Lanni arrested [ 3:00-m -3519 ] (rab) (Entered: 12/27/2000)
12/26/2000	<u>1</u>	COMPLAINT against defendant Michael John Lanni , signed by Magistrate Judge Nita L. Stormes [ 3:00-m -3519 ] (dkt clerk) (Entered: 12/26/2000)
12/26/2000	<u>2</u>	Enter Order by Magistrate Judge Nita L. Stormes: Dft Michael John Lanni informed of charges , first appearance of Michael John Lanni on cmp, Attorney Federal Defenders appointed , \$25,000 PS bond secured with Trust Deed set for Michael John Lanni , 18:3142(d) hold until 1/9/01 as to defendant Michael John Lanni , preliminary exam set for 9:00 1/9/01 for Michael John Lanni ; Court Reporter: NLS00-1:6000-end;2:0-400 [ 3:00-m -3519 ] (rab) (Entered: 12/27/2000)
12/26/2000	<u>3</u>	ORDER by Magistrate Judge Nita L. Stormes setting conditions of release for Michael John Lanni; Travel restricted to the Southern District of CA; 18:3142(d) hold until 01/09/01 [ 3:00-m -3519 ] (rfm) (Entered: 12/28/2000)
01/03/2001	<u>4</u>	INDICTMENT by USA . Counts filed against Michael John Lanni (1) count(s) 1, 2 . Any XT1 excludable that extends beyond the indictment date is terminated at the point of indictment. (dkt clerk) (Entered: 01/04/2001)
01/09/2001	<u>5</u>	Minutes: Enter Order by Magistrate Judge Nita L. Stormes dft Michael John Lanni arraigned; not guilty all cnts plea entered; Atty present; motion hrg/trial setting set for 2:00 2/26/01 for Michael John Lanni before Judge Irma E. Gonzalez ; Court Reporter: NLS01;1:1988-2315 (llh) (Entered: 01/10/2001)

02/12/2001	<u>6</u>	Notice of Motions and Motions to preserve evidence , to compel discovery , to dismiss the indictment , for leave to file further motions by Michael John Lanni; Motion hrg set for 2/26/01 at 2:00pm (jah) (Entered: 02/12/2001)
02/12/2001	<u>7</u>	MEMORANDUM of Points and Authorities by defendant Michael John Lanni in support of dft's motions [6-1], of [6-2], of [6-3], of [6-4] (jah) (Entered: 02/12/2001)
02/26/2001	<u>8</u>	Application for Order Shortening Time by USA and Order Thereon by Judge Irma E. Gonzalez as to defendant Michael John Lanni; Govt may file its response and opposition to dft's motions. (jah) (Entered: 02/26/2001)
02/26/2001	<u>9</u>	RESPONSE and Opposition by plaintiff USA to dft's motion to preserve evidence [6-1], motion to compel discovery [6-2], motion to dismiss the indictment [6-3], motion for leave to file further motions [6-4] t/w attached Statement of Facts and Memorandum of Points and Authorities (jah) (Entered: 02/26/2001)
02/26/2001	<u>9</u>	Notice of Motion and Motion for reciprocal discovery by USA as to Michael John Lanni; Motion hrg set for 2/26/01 at 2:00pm (jah) (Entered: 02/26/2001)
02/26/2001	<u>10</u>	Minutes: Enter Order by Judge Irma E. Gonzalez; Motion Hearing/Disposition set for 11:30 on 3/19/01 for Michael John Lanni before Judge Irma E. Gonzalez ; Court Reporter: R. Heywood (jah) (Entered: 02/26/2001)
03/19/2001	<u>11</u>	Minutes: Enter Order by Judge Irma E. Gonzalez; Gov't exhibit #1 marked and returned. Michael John Lanni enters guilty plea to cnt 1; dft referred to USPO for PSR , hearing PO report and sentencing set for 9:00 6/4/01 for Michael John Lanni before Judge Irma E. Gonzalez , XE pretrial motions from 2/12/01 to 3/19/01 as to Michael John Lanni ; Court Reporter: R. Heywood (dkt clerk) (Entered: 03/20/2001)
05/22/2001	<u>12</u>	SENTENCING Memorandum by defendant Michael John Lanni t/w Sentencing Summary Chart (jah) (Entered: 05/23/2001)
06/04/2001	<u>13</u>	Minutes: Enter Order by Judge Irma E. Gonzalez; Sentencing Michael John Lanni (1) count(s) 1. Custody of BOP for a term of 30 months. Supervised release for a term of 3 years. Assessment of \$100. No fine; Terminating defendant Michael John Lanni ; Remaining count dismissed as to Michael John Lanni (1) ; All pending motions - moot; Case terminated ; Court Reporter: R. Heywood (jah) (Entered: 06/04/2001)
06/04/2001	●	(Court only) ***Terminated defendant Michael John Lanni, pending deadlines, and motions. (nsp) (Entered: 11/08/2007)
06/05/2001	<u>14</u>	JUDGMENT and Commitment issued to U.S. Marshal for Michael John Lanni by Judge Irma E. Gonzalez (jah) (Entered: 06/06/2001)
09/18/2007	● <u>15</u>	USPO Request for Modifying the Conditions or Term of Supervision and Order Thereon in case as to Michael John Lanni. Signed by Judge Irma

		E. Gonzalez on 9/16/2007. Conditions of supervision modified for dft to participate in a program of drug or alcohol treatment. (jah) (Entered: 09/19/2007)
12/28/2007	● 16	Probation Jurisdiction Transferred to Northern District of California as to Michael John Lanni. Transmitted Transfer of Jurisdiction form, with certified copies of Indictment, Judgment, OSC and Docket Sheet. (Attachments: # 1 Probation Transfer Letter) (jah) (Entered: 01/02/2008)